

**REMARKS**

Claims 1-11, 13-20, 31-46 and 48-58 are pending in this application. By this Amendment, claims 1, 4-6, 8-11, 14, 15, 17-20, 31, 35-37, 40-42, 44, 45, 48-54 and 56-58 are amended. No new matter is added. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The courtesies extended to Applicant's representative by Examiner Turocy at the interview held on March 6, 2008, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicant's record of the interview.

The Office Action rejects claims 1-11, 13-20, 31-46 and 48-58 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The amendments to independent claim 1 render this rejection moot. Therefore, reconsideration and withdrawal of the above rejection under 35 U.S.C. §112, first paragraph, are requested.

The Office Action rejects claims 1, 4-8, 13, 14, 31-39, 41-44, 48-49, 52-55 and 58 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,898,443 to Yoshino et al. (hereinafter "Yoshino"). The Office Action rejects claims 1, 8, 13-20, 35-37, 40-44, 48-51 and 53-57 under 35 U.S.C. §102(b) as anticipated by EP1 093 167 to Yamazaki et al. (hereinafter "Yamazaki"). The Office Action rejects claims 4-7, 31-34, 38, 39, 45, 46 and 52 under 35 U.S.C. §103(a) as unpatentable over Yamazaki in view of Yoshino. The Office Action rejects claims 1-6, 8-11, 13-20, 31-51 and 58 under 35 U.S.C. §103(a) as unpatentable over Japanese Patent Abstract 2000-323276 to Seki et al. (hereinafter "Seki") in view of Yamazaki, Japanese Patent Abstract 06-306181 to Hiraga et al. (hereinafter "Hiraga"), Yoshino, and what is asserted to be the admitted state of the art by the Office Action (hereinafter "the Assertion"). The Office Action rejects claims 7 under 35 U.S.C. §103(a) as

being unpatentable over Seki in view of Yamazaki, Hiraga, Yoshino, the Assertion and U.S. Patent No. 6,296,354 to Hashimoto. Applicant respectfully traverses these rejections.

The Office Action asserts that Yoshino and Yamazaki teach the features as positively recited in the pending claims. However, the above references cannot reasonably be considered to teach a first ejection of a first material from a first nozzle and a first ejection of a second material from a second nozzle, the first ejection and the second ejection being carried out during a first period, and a second ejection of the first material from the first nozzle and a second ejection of the second material from the second nozzle, the second ejection of the first material and the second ejection of the second material being carried out during a second period, as positively recited in amended claim 1.

As discussed in col. 16, lines 12-67 and col. 17, lines 1-9 and shown in Figs. 16 and 17 of Yoshino, a sequential process whereby ink discharge heads each containing inks of different colors sequentially apply the ink to a substrate layer. This way, each head containing each material of a different color applies its color completely to a substrate before a head of another color applies an ink of another color. Further, as discussed in paragraphs [0092]-[0127], and shown in Figs. 7A-E and 8A-E of Yamazaki, layers of different material types are deposited on a substrate in a sequential manner. Here, an EL device is fabricated by sequentially applying different materials which together comprise the EL device. However, the constituent materials are applied such that a lower layer must be completely fabricated prior to the application of a material comprising a different second material.

In contrast, the subject matter of the pending claims positively recites a first ejection of a first material from a first nozzle and a first ejection of a second material from a second nozzle, the first ejection of the first material and the first ejection of the second material being carried out during the first period, and a second ejection of the first material from the first nozzle and a second ejection of the second material from the second nozzle, the second

ejection of the first material and the second ejection of the second material being carried out during a second period, as discussed in paragraphs [0120]-[0125] and shown in Fig. 6 of the Applicant's disclosure. Here, a plurality of nozzles and a plurality of materials are provided which are ejected during periods as positively recited in the pending claims.

During the course of the personal interview, the Examiner asserted that (1) a first material and a second material could constitute an identical material, and (2) that a period may be defined as any arbitrary time period, including any time interval where more than one material is deposited on a substrate. However, these assertions are incorrect.

First, in the same way that a first nozzle and a second nozzle are necessarily defined as different nozzles, a first material and a second material are necessarily defined as different materials, as opposed to a first and second group or division of a single type of material. Additionally, this definition of materials is made explicit in paragraph [0123] and shown in Fig. 7C of the Applicant's disclosure. Additionally, a period is defined in context of the Applicant's disclosure as an interval where a first material and a second material at least may interact during an ejection, as disclosed in paragraph [0129] of the Applicant's disclosure. Therefore, as the terms of amended independent claim 1 must be read in light of the Applicant's disclosure, the terms must therefore be given meaning consistent with their usage in the disclosure. The Examiner noted that further consideration of the above arguments and review of the applied references would be required.

Further, none of Seki, Hiraga, the Assertion, or Hashimoto overcome the deficiencies as discussed above.

For at least the above reasons, Yoshino and Yamazaki cannot reasonably be considered to teach, nor would they have suggested, the combination of features as positively recited in amended independent claim 1. Claims 2-11, 13-20, 31-46 and 48-58 are also


allowable, at least for their dependence on allowable independent claim 1, as well as for the separately patentable subject matter that each of those claims recites.

Accordingly, reconsideration and withdrawal of the rejections as enumerated in the Office Action are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-11, 13-20, 31-46 and 48-58 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Kirk D. Berkheimer  
Registration No. 59,874

JAO:ARK/cxo

Date: March 18, 2008

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--